

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 31 1994
 Returned to applicant for correction APR 22 1994
 Corrected application filed JUN 20 1994 Map filed JUN 20 1994

The applicant THE WHIRLWIND TRUST
P.O. Box 4133 of Pahrump
Street and No. or P.O. Box No. City or Town
Nevada 89041 hereby make^s application for permission to change the
State and Zip Code No.
point of diversion, place and manner of use of a portion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under 23943 Certificate 7040
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 3 acre feet purchased from Hollis Harris (refer to Quit claim deed, Appln 23943.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation-this application is attempting to change the place and manner of use of a portion of
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals. Permit 23943
- The water is to be diverted at the following point located within the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1, T21S, R53E, MDB&M Nye County, Nevada; or at a point from which the West $\frac{1}{4}$ corner of said Section 1 bears S84°31' 45" W a distance of 1783.12 feet. more or less, Permit 29343 Certificate 7040
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
- The existing permitted point of diversion is located within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, T19S, R53E, MDB&M; or at a point from which the NE corner of said section 21 bears N 88°31' E 2709 feet.
If point of diversion is not changed, do not answer.
- Proposed place of use S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T21S, R53E, MDB&M NYE County Nevada.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, T19S, R53E, MDB&M, NYE County Nevada. An area 1000 feet long by 26.2 feet wide will be stripped along the north boundary line of the SW $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 21.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from Jan 1-st to December 31-st of each year.
Month and Day Month and Day
- Use was permitted from Jan 1-st to December 31-st of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, casing, pump, electrical equipment and piping.
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$15,000
- Estimated time required to construct works Completed

14. Estimated time required to complete the application of water to beneficial use..... 4 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water is to be used for two residences and two RV vehicles as needed. for

Quasi Municipal Use.

s/Philip C. Hulse

By Philip C. Hulse, Agent

P.O. Box 3450

Pahrump, Nevada 89041

Compared pm/js jr/bk

Protested.....

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 23943, Certificate 7040 is issued subject to the terms and conditions imposed in said Permit 23943, Certificate 7040 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any cancellation, withdrawal or water not put to beneficial use will revert back to the ground water source, not back to the base water right.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0103 cubic feet per second, but not to exceed 3.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 18, 1996

Proof of completion of work shall be filed before June 18, 1996

Application of water to beneficial use shall be made on or before May 18, 1998

Proof of the application of water to beneficial use shall be filed on or before June 18, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed APR 16 1996

Proof of beneficial use filed JUN 12 2001

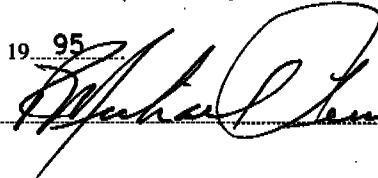
Cultural map filed.....

Certificate No. 16084 Issued MAY 13 2002

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of May,

A.D. 19 95


State Engineer

Abrogated By Permit 167636 000515